

# **EXHIBIT 3**



June 14, 2024

**VIA EMAIL**

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Re: *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio), *Lincoln County v. Richard Sackler, M.D.*, No. 20-op-45069 (“Track 13”); Discovery Letter

Counsel,

I write on behalf of Plaintiff Lincoln County (the “County”) to provide supplemental information concerning the County’s efforts to restore or replace potentially relevant discovery. We recognize that Special Master Cohen has given us until June 28, 2024 to give a full update however, we have the below information and wanted to supply it.

**I. Potentially Relevant Employees Who Left County Employment Between October 22, 2018 and February 29, 2024**

In its June 9, 2024 letter, the County identified sixteen potentially relevant employees who left County employment between October 22, 2018 (when the County first retained outside counsel in this matter) and February 29, 2024 (when the County instituted a litigation hold) and for whom the County no longer has email files:

1. Michael Pirtle, Emergency Services (911) Director (2005-2019)
2. Kelly Walters, Coroner (2015-2019)
3. Deputy Coroner, James Johnson (2015-2021)
4. Deputy Coroner, Brandon Phelps (2021-2023)
5. Deputy Coroner, Brian Reed (2014-2019)
6. Deputy Coroner, Kevin Schell (2021)
7. Crystal Hall, County Clerk (2011-2022)
8. Daniel Colbert, Presiding Commissioner (2011-2018)
9. Jay Gourley, Project Coordinator (2015-2019)
10. John Cottle, Sheriff (2013-2020)
11. Michael Lang, Undersheriff (1996-2020)

12. Mason McNail, Narcotics Detective (2011-2020)
13. Bradley Beeman, Narcotics Detective (2015-2021)
14. Emma Eplin, Emergency Management Services Director (2015-2019)
15. James Sharp, Emergency Management Services Director (2018-2021)
16. Adam Stanek, Emergency Management Services Director (2018-2023)

The County has since learned that it does in fact possess Emma Eplin's emails. Ms. Eplin utilized a shared email address [emd@lcmoema.com](mailto:emd@lcmoema.com) instead of a personal email address. The County will produce all responsive, non-privileged emails from this shared email address that hit upon agreed search terms.

Also, as the County further researched the employees who left County employment from October 22, 2018-February 29, 2024 to verify its initial findings, the County discovered another employee who may be relevant to this litigation. That employee is Ann Irvin, who served as the Payroll Clerk in the County Clerk's Office from May 14, 2001-February 15, 2019. Ms. Irvin's title was listed in the County's records as "County Clerk Staff." The County recently learned however that she was in fact the Payroll Clerk and the predecessor to Helen McDonald. The Payroll Clerk typically handles administrative responsibilities relating to the County's health plan. The County has Ms. Irvin's hard copy and non-email electronic files, which the County will search. The County will also produce documents relating to the County's health insurance plan and any contracts related thereto. Hit reports related to Ms. Irvin's emails are included below.

## **II. Hit Reports from the County's Search of Its Current Email Servers**

As described in the County's June 9, 2024 letter, the County searched the potentially relevant former employees' email addresses across the email servers of all relevant departments.<sup>1</sup>

The County obtained the following hits for the following email addresses:

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<sup>1</sup> The relevant departments: The Health Department is the only relevant department that has emails for both current and former employees. The other relevant departments only have emails for current employees.

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Custodian	Email	Custodian	Hit Totals
Crystal Hall	chall@lcclerk.com	Crystal Hall - County Clerk	18,601
	chall@lincolncountymoclerk.gov	Crystal Hall - County Clerk	19,701
	<b>Crystal Hall Total</b>		<b>38,302</b>
Michael Pirtle	MPirtle@lcsomo.com	Mike Pirtle - 911 Director	3,388
	mpirtle@lincolncounty911.com	Mike Pirtle - 911 Director	4,154
	<b>Mike Pirtle Total</b>		<b>7,542</b>
Jay Gourley	jgourley@lcclerk.com	Jay Gourley - Project Coordinator	3,000
Dan Colbert	dcolbert@lcclerk.com	Dan Colbert - Presiding Commissioner	19,265
Jim Sharp	jsharp@lcmoema.com	Jim Sharp - EMA Director	21,884
Adam Stanek	astanek@lcmoema.com	Adam Stanek - EMA Director	15,348
John Cottle	JCottle@lcsomo.com	John Cottle - Sheriff	24,726
Michael Lang	mlang@lcsomo.com	Michael Lang - Undersheriff	6,207
Mason McNail	MMcNail@lcsomo.com	Mason McNail - Narcotics Unit	1,229
Bradley Beeman	bbeeman@lcsomo.com	Bradley Beeman - Narcotics Unit	1,754
Ann Irvin	airvin@lcclerk.com	Ann Irvin - Payroll Clerk	3,394
Kelly Walters	kwalters@lincolncountycoroner.com	Kelly Walters - Coroner	1,572
Deputy Coroners	deputycoroner@lincolncountycoroner.com	Deputy Coroner(s)	281
	<b>Total Hits for All Custodians Combined</b>		<b>144,504</b>

As described in the County's June 9, 2024 letters, the County recovered emails for Crystal Hall and Dan Colbert from backup files. Those emails are included in the above hit counts for Ms. Hall and Mr. Colbert.

As with any other collected documents, prior to review, these hit counts reflect raw numbers. The County has not yet de-duped the emails, run the agreed upon search terms, or reviewed these emails for responsiveness or privilege. The County is prioritizing review of Sheriff Cottle's emails. To the extent Defendants would like the County to prioritize review of any other custodian's emails, please let us know.

Sincerely,

/s/ Joanne Cicala

Joanne Cicala

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